

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STEVE SANDS,

Plaintiff,

-against-

CBS INTERACTIVE INC.,

Defendant.

Case No. 18-cv-07345 (JSR)

ECF Case

**DECLARATION OF ELEANOR M. LACKMAN**

ELEANOR M. LACKMAN declares as follows:

1. I am a member of the Bar of this Court and a partner in the law firm of Cowan, DeBaets, Abrahams & Sheppard LLP, attorneys for defendant CBS Interactive Inc. (“CBSi”) in this proceeding. I submit this declaration in support of CBSi’s Motion for Partial Summary Judgment against plaintiff Steve Sands (“Plaintiff”).

2. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from the transcript of the deposition of Steve Sands, dated January 10, 2019.<sup>1</sup>

3. Attached hereto as **Exhibit 2** is a true and correct copy of Plaintiff’s Superseding Answers and Objections to CBSi’s First Set of Interrogatories.

4. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts of statements of sales produced by Plaintiff during discovery in this case.<sup>2</sup>

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<sup>1</sup> A copy of the original deposition transcript was received by the undersigned, and sent to Plaintiff’s counsel, on January 25, 2019.

<sup>2</sup> While the statements of sales were designated as “Confidential” by Plaintiff, Plaintiff subsequently waived that designation.

5. On October 1, 2018, CBSi identified Dan Auty and others as persons with knowledge relevant to this lawsuit. Plaintiff elected not to take any testimony from them, and none of the witnesses are within the jurisdiction of the court for trial, as none are in New York.

6. Plaintiff advocated for a short discovery schedule yet never noticed any depositions, much less took any.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: New York, New York  
January 25, 2019

  
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ELEANOR M. LACKMAN